



Town Development Act 1952

1952 CHAPTER 54 15 and 16 Geo 6 and 1 Eliz 2

Participation in town development of authorities other than council of receiving district

9 Provision for participation under order of the Minister.

(1) If an authority eligible to participate wish to take some action which could lawfully be taken by that authority by agreement between them and the council of a receiving district (with the authorisation of the Minister under subsection (1) of the last preceding section or otherwise), and the Minister, on application being made to him by that authority, is satisfied that such action—

- (a) is required for the purposes of town development within the meaning of this Act, but
- (b) is prevented or hampered by inability or unwillingness of the council of the receiving district to concur in providing by agreement for its being taken,

he may after consultation with the council of the receiving district and the council of the county in which the receiving district is situated make provision by order—

- (i) for authorising the authority by whom the application is made to take that action, or to assume any obligation with respect thereto for the assumption of which by them provision could be made by such an agreement, and for requiring the council of the receiving district to permit the taking by that authority of that action;
- (ii) for imposing on the council of the receiving district any obligation with respect to that action for the assumption of which by them provision could be made by such an agreement, and for conferring on that authority the right to enforce an obligation so imposed as if it had been assumed by the council of the receiving district by agreement with that authority; and
- (iii) if any agreement with respect to that action has been made by the council of the receiving district with that authority, for varying the terms thereof.

(2) An order under this section may be varied or revoked by a subsequent order made by the Minister.

(3) F1

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town Development Act 1952, Section 9. (See end of Document for details)

- (4) An order shall not be made under or by virtue of this section unless—
- (a) a draft of the order has been laid before Parliament and has been approved by resolution of each House of Parliament, or
 - (b) in the case of an order under subsection (1) of this section, assent to the making of the order has been given by the council of the receiving district, or
 - (c) in the case of a varying or revoking order under subsection (2) of this section, assent to the making of the order has been given by the council of the receiving district and by the authority on whose application the original order was made.

Textual Amendments

F1 Ss. 9(3), 15 repealed by [Water Act 1973 \(c. 37\)](#), [Sch. 9](#)

Status:

Point in time view as at 01/02/1991.

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